

JAP:NR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

- against -

JAMES DAILEY,

(18 U.S.C § 751(a))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

RYAN GUAY, being duly sworn, deposes and states that he is a Deputy United States Marshal duly appointed according to law and acting as such.

Upon information and belief, on or about May 10, 2012, within the Eastern District of New York and elsewhere, the defendant JAMES DAILEY, having been convicted of an offense, did knowingly and intentionally escape from the custody of the Attorney General or his authorized representative.

(Title 18, United States Code, Section 751(a)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware. In addition, when I rely on statements made by others, such statements are set forth in part and in substance unless otherwise indicated.

1. On or about January 14, 2011, the defendant JAMES DAILEY was sentenced by Judge William H. Pauley III of the United States District Court for the Southern District of New York to a term of 4 months imprisonment and 3 years of supervised release and remanded to the custody of the Attorney General of the United States. The defendant was sentenced in connection with a conviction for conspiracy to possess with intent to distribute heroin, in violation of Title 21, United States Code, Section 846.

2. The defendant was subsequently arrested on a violation of supervised release and was sentenced to 6 months imprisonment by Judge Pauley on December 22, 2011.

3. On or about April 24, 2012, the defendant JAMES DAILEY was transferred from the Metropolitan Correctional Center in New York, New York to the Brooklyn Residential Reentry Center ("BRRC") in Brooklyn, New York. The defendant's term of custody was scheduled to be completed on May 22, 2012.

4. On or about May 10, 2012, at approximately 10:50 a.m., the defendant JAMES DAILEY signed out of the BRRC on a work pass. The defendant was scheduled to report back to the BRRC at 3:00 p.m. on May 10, 2012. The defendant failed to return to the BRRC. At 5:15 p.m. on May 10, 2012, the defendant was placed on escape status. The defendant was scheduled to remain at the facility until May 22, 2012.

5. As of this date, the defendant JAMES DAILEY has failed to return to the BRRC.

WHEREFORE, your deponent respectfully requests that a warrant issue for the arrest of the defendant JAMES DAILEY so that he may be dealt with according to law.


RYAN COAN
Deputy Marshal
U.S. Marshals Service

Sworn to before me this
16 th day of May, 2012

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DGE
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